

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

**DAVELL ARTIS, DONTRA ARTIS,
MICHAEL BLUNT, RONNELL
BROTHERS, BRANDON CAMPBELL,
JERRY COOK, BOBBY HARDY,
HUSAMIDDIN MUBASHSHIR, GABRIEL
JIMENEZ, ALFREDO LEBRON DIAZ,
WILFREDO LEBRON-DIAZ, ERIQUE
INGRAM, RAMELL MCDONALD,
MICHAEL PERRY, ROBERT THOMAS,
SR., ROBERT THOMAS, JR., TAVARIS
TILLERY, EDWARD WASHINGTON, and
JAMES WILLIAMS,**

Plaintiffs,

v.

LYON SHIPYARD, INC.

Defendant.

Case No. 2:17-cv-595

**MOTION FOR PERMISSION
FOR PLAINTIFF ROBERT THOMAS, JR.
TO APPEAR BY TELEPHONE**

Plaintiffs, by and through the undersigned counsel, move for permission to allow Plaintiff Robert Thomas, Jr. to appear by telephone at the settlement conference in the above-captioned matter, scheduled for August 30, 2018.

In support, Plaintiffs respectfully state as follows:

1. Mr. Thomas, Jr. is a Plaintiff in the above-captioned matter.
2. On April 19, 2018, the Court ordered the parties to attend a settlement conference on August 30, 2018. Dkt. No. 47 at 1.
3. The Court ordered that “each party must bring to the settlement conference a person with full and complete authority to settle the case.” *Id.*

4. The Court ordered that no party may appear by telephone without Court approval.

Id.

5. Mr. Thomas, Jr. is currently incarcerated at St. Brides Correctional Center, 701 Sanderson Rd., Chesapeake, VA 23322.

6. Counsel for Plaintiffs have arranged with St. Brides Correctional Center for Mr. Thomas, Jr. to have access to a telephone for the August 30, 2018 settlement conference.

7. St. Brides Correctional Center will provide a direct line for Mr. Thomas, Jr. to use during the settlement conference.

8. Because Mr. Thomas, Jr. has full and complete authority to settle his case, but cannot attend the Settlement Conference due to his incarceration, Plaintiffs respectfully request permission for Mr. Thomas, Jr. to appear at the settlement conference by telephone.

9. The above-captioned Defendant does not oppose this Motion.

For the foregoing reasons, and for good cause shown, Plaintiffs respectfully request the Court grant this Motion for Permission for Plaintiff Robert Thomas, Jr. to Appear by Telephone at the August 30, 2018 settlement conference.

Dated: August 23, 2018
Newport News, Virginia

Respectfully submitted,

By: /s/ James H. Shoemaker, Jr.
James H. Shoemaker, Jr.

Joshua Friedman
Rebecca Houlding
Effat Hussain
Jesse Centrella
Shilpa Narayan
FRIEDMAN & HOULDING LLP
1050 Seven Oaks Lane

Mamaroneck, NY 10543
888-369-1119 x5
Fax: 866-731-5553
rebecca@friedmanhouldingllp.com
jesse@friedmanhouldingllp.com
Admitted Pro Hac Vice

Cindra M. Dowd, Esq., VSB No. 33819
LAW OFFICES OF RICHARD J. SERPE, P.C.
580 East Main Street, Suite 310
Norfolk, VA 23510
Telephone: 757.233.0009
Facsimile: 757.233.0455
cdowd@serpefirm.com

James H. Shoemaker, Jr., VSB No. 33148
Andrew J. Dean VSB No. 88192
PATTEN, WORNOM, HATTEN & DIAMONSTEIN, L.C.
12350 Jefferson Avenue, Suite 300
Newport News, Virginia 23602
Telephone: 757.223.4500
Facsimile: 757.223.4518
jshoemaker@pwhd.com
adean@pwhd.com

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on August 23, 2018, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to all counsel of record.

By: /s/ James H. Shoemaker, Jr.
James H. Shoemaker, Jr.
Virginia State Bar No. 33148
Patten, Wornom, Hatten & Diamonstein, L.C.
12350 Jefferson Avenue, Suite 300
Newport News, Virginia 23602
Telephone: (757) 223-4500
Fax: (757) 223-4518
jshoemaker@phwd.com

Local Counsel for Plaintiffs